

Federal Defenders OF NEW YORK, INC.

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

Leonard F. Joy
Executive Director

April 25, 2008

BY HAND DELIVERY

Hon. Loretta A. Preska
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Brian Palermo
No. 07 Cr. 933 (LAP)
Request for Adjournment, on Consent

Dear Judge Preska:

I am writing to respectfully request that the pretrial conference in this matter that is currently scheduled for Tuesday, April 29, 2008, be adjourned for 45 days. Mr. Palermo is awaiting the Second Circuit's decision in United States v. Williams, et. al., Docket No. 07-2664-cr(L) (argued December 12, 2007), which will determine whether he is subject to the enhanced penalties of the Armed Career Criminal Act, 18 U.S.C. § 924(e).

I have spoken with AUSA Antonia Apps, who consents to the requested adjournment. In addition, the defense consents to an order excluding Speedy Trial Act time until the adjourned date.

*The April 29 conference is adjourned
to June 10, 2008 at 10:30 a.m.*

*Time until the adjourned
date is excluded from calculation
under the Speedy Trial Act
in the interests of justice.*

Respectfully submitted,
STEVEN M. STATSINGER
 Assistant Federal Defender
 (212) 417-8736

AUSA Antonia Apps

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

April 28, 2008

| | |
|---|--------------------------------------|
| Southern District of New York | John J. Byrnes Attorney-in-Charge |
| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: <u>4/29/08</u> DATE FILED: <u>4/29/08</u> | |

RECEIVED

APR 28 2008
 LORETTA A. PRESKA
 U.S. DISTRICT JUDGE
 S. D. N. Y.